

1 PHILLIP A. TALBERT
Acting United States Attorney
2 LAURA D. WITHERS
Assistant United States Attorney
3 2500 Tulare Street, Suite 4401
Fresno, CA 93721
4 Telephone: (559) 497-4000
Facsimile: (559) 497-4099
5 Attorneys for Plaintiff
6 United States of America

7
8 IN THE UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA

10
11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 v.
14 TANNER JOEL HERNANDEZ-FIELDS,
15 Defendant.

CASE NO. 1:20-CR-00221-DAD-BAM
PRELIMINARY ORDER OF
FORFEITURE

16
17 Based upon the plea agreement entered into between the United States of America and defendant
18 Tanner Joel Hernandez-Fields, it is hereby ORDERED, ADJUDGED AND DECREED as follows:

19 1. Pursuant to 18 U.S.C. § 2253(a), defendant Tanner Joel Hernandez-Fields' interest in the
20 following property shall be condemned and forfeited to the United States of America, to be disposed of
21 according to law:

- 22 a. Apple iPhone 6 Model A1549, seized from defendant by law enforcement on
23 February 27, 2020; and,
24 b. Any additional thumb drives, SD cards, compact discs, cell phones, hard drives, or
25 other electronic storage devices containing visual depictions of minors engaged in
26 sexually explicit conduct and seized from the defendant by law enforcement on or
27 about February 27, 2020.

28 ///

2. The above-listed assets constitute property which contain visual depictions produced, transported, mailed, shipped, or received in violation of 18 U.S.C. § 2252(a)(2) or was used or intended to be used to commit or to promote the commission of a violation of 18 U.S.C. § 2252(a)(2) and (b)(1), or to any property traceable to such property.

3. Pursuant to Rule 32.2(b)(3), the Attorney General (or a designee) shall be authorized to seize the above-listed property. The aforementioned property shall be seized and held by the U.S. Customs and Border Protection or Homeland Security Investigations, in its secure custody and control.

4. a. Pursuant to 18 U.S.C. § 2253(b), incorporated by 21 U.S.C. § 853(n), and Local Rule 171, the United States shall publish notice of the order of forfeiture. Notice of this Order and notice of the Attorney General's (or a designee's) intent to dispose of the property in such manner as the Attorney General may direct shall be posted for at least 30 consecutive days on the official internet government forfeiture site www.forfeiture.gov. The United States may also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in the property that is the subject of the order of forfeiture as a substitute for published notice as to those persons so notified.

b. This notice shall state that any person, other than the defendant, asserting a legal interest in the above-listed property, must file a petition with the Court within sixty (60) days from the first day of publication of the Notice of Forfeiture posted on the official government forfeiture site, or within thirty (30) days from receipt of direct written notice, whichever is earlier.

5. If a petition is timely filed, upon adjudication of all third-party interests, if any, this Court will enter a Final Order of Forfeiture pursuant to 18 U.S.C. § 2253(a), in which all interests will be addressed.

IT IS SO ORDERED.

Dated: November 16, 2021


UNITED STATES DISTRICT JUDGE